



MINUTES

COMMUNITY POLICE REVIEW COMMISSION TRAINING SESSION

City of Riverside
March 1, 2001, 6 p.m.
Mayor's Ceremonial Room

Present: Commissioners Brewer, Garcia, Gardner, Goldware, Hendrick and Redsecker

Absent: Commissioners Egson, Howe, and Huerta

Vice-Chair Brewer called the meeting to order at 6:04 p.m.

Motion was made by Commissioner Gardner and seconded by Commissioner Garcia to approve the minutes for the February 6th Training Session. The minutes were approved unanimously.

Motion was made by Commissioner Gardner and seconded by Commissioner Garcia to approve the following correction to the minutes of the January 30th Training Session:

Motion was made by Commissioner Brewer to approve the minutes for the *January 24th* Training Session.

The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT / COMMENTS

Executive Director Williams asked the commissioners to complete and return the form for the Law Enforcement Appreciation Dinner on April 27th, if interested in attending.

Mr. Williams next asked the commissioners to turn in their Policy & Procedure suggestions within the next few days, if they hadn't turned them in already.

Last, Mr. Williams asked the commissioners to advise the CPRC staff by March 7th of any community meetings or events they attended in February.

PUBLIC COMMENTS

There were no public comments.

TRAINING – Dr. Ed Hawkins, Superintendent, Jurupa Unified School District, Retired

After being introduced by Executive Director William, Dr. Hawkins began his presentation by congratulating the commissioners on their selection and their willingness to serve on the Commission. He said that the CPRC is a vital commission for Riverside and will set the tone for other communities currently without police oversight.

He noted that the Commission has a good agenda structure, and that there have been training sessions covering the Brown Act, police procedures, and that the Commission is working on developing policies. He said that the Commission is starting to work as a team and stressed the importance of working as a team and not as individuals.

He commented on the importance of having a good communications system for the commission meetings and also said that he believes in an annotated agenda. He advised the Commission to be prepared for, and have policies and procedures in place to deal with, worst-case scenarios.

Dr. Hawkins' presentation covered 11 aspects of conducting public meetings. They are as follows:

1. Authority

Dr. Hawkins noted that case law, city regulations, police association contracts and the CPRC policies and procedures place limits on the authority of the Commission. He said that a commissioner's individual authority is limited to one share of the Commission vote when there is a quorum and they are meeting to consider an agenda item. He noted that you don't want "lone rangers" who assume authority meant only for the full body or who push personal agendas.

2. Policies

Dr. Hawkins said that good policies make for order and that they are regulations or controls for the body and stressed the importance of abiding by those policies. He said that policies are used for consistent treatment of repetitious items and clarification of complex issues.

3. Agenda Format

Dr. Hawkins noted that the CPRC agenda is fairly simple, and will probably continue that way. But he said that there are some important factors about complex agendas that are relevant. He said that the agenda should be divided into the various sections as noted below:

- Opening session, which includes roll call and flag salute
- Communications would cover the executive director's comments, comments or reports from commissioners, and public comments
- Executive, or closed, sessions are only for certain limited topics. The agenda must show that there will be a closed session and must list the topics to be discussed. Dr. Hawkins said that action can be taken in closed session, but must be publicly reported afterward. He said that confidentiality may be preserved by coding the topics discussed.

Executive Director Williams asked how soon actions taken in closed session must be reported. Dr. Hawkins recommended that they be reported at the end of the closed session or at the next meeting. Commissioner Hendrick said that the RUSD school board holds its closed sessions prior to their meetings so that any actions taken can be reported at the meeting. Commissioner Brewer commented that the CPRC's situation is a bit different since they are dealing with the Police Officers' Bill of Rights and their recommendations are made to the City Manager, not directly to the public. Commissioner Goldware stated that the Commission's recommendations can be given to the public and forwarded on to the City Manager. Commissioner Hendrick commented that the Commission can report that it discussed case number xxx, although the officer(s) involved can't be named. Dr. Hawkins agreed that since a report must be made, coding helps with confidentiality issues, and case number or employee numbers can be used for that purpose. Commissioner Hendrick also noted that if no action is taken during a closed session, it must be stated. Mr. Williams commented that the commissioners want to report their findings and that he is talking to Legal regarding this issue because the Police Officers' Bill of Rights deals with what information can be released, while the Brown Act deals with when. Commissioner Hendrick noted that teachers and educators have a "Bill of Rights" similar to that of police officers.

- Business sessions cover routine consent items, guest presentations, informational items and occasionally a discussion item which gives the commissioners the opportunity to voice their opinions on a particular item, without background information, and if they'd like to see this topic added to a future agenda.

4. Agenda Preparation

Dr. Hawkins recommended that a policy be established regarding agenda preparation. He said the Executive Director should be in charge of planning the agenda and also serve as the Secretary to the Commission.

5. Policy for Placing Items on the Agenda

Dr. Hawkins also recommended that a policy be established by which items can be placed on the agenda by commissioners and the public. He stated that a member of the public asking to place an item on the agenda must do so in writing so that the issue is very clear. He noted that it must be understood that it is at the discretion of the Commission or Executive Director as to if or when the item is placed on the agenda. He also said that if the item is placed on the agenda, the Commission is not obligated to comment or act.

6. Public Participation / 7. Policy on Public Comments

Dr. Hawkins was adamant regarding the need for a policy pertaining to public participation. He said that it is important that the public use the public comment portion of the meeting for their comments, and not for voicing their complaints about particular officer. If this should occur, they should be told that there are complaint forms they can complete so that their complaint(s) can be addressed. He also advised the Commission to hear public comments during the time period allotted since comments from the public throughout the course of the meeting can be counterproductive.

Commissioner Hendrick noted that when there are large groups of people attending a school board meeting who want to discuss the same subject, they are asked to choose three people to speak on behalf of the group. This helps the meeting to move on and still address the issue(s) about which the people are concerned.

Dr. Hawkins said that if there are several agenda items that are of public concern, that the Request to Speak forms can be sorted by topic or agenda item. He again stressed the importance of having and following a policy regarding "speaker cards" and time limits.

8. Informality in Conducting Meetings

Dr. Hawkins noted that there are two views on conducting a meeting. There is the formal method using Robert's Rules of Order, which he feels is very restrictive on the chair. Then there is an informal method, which he feels is preferable. He said that the policy should state which method will be used to conduct the Commission's meetings. He stated that informal discussion allows the chair to fully participate and Robert's Rules are used occasionally for amendments.

9. Spokespersons

Dr. Hawkins said that the policy should state who the spokespersons are to be. Usually, the chair or executive director is designated. He also noted that any comments outside a meeting should be prefaced with a statement that the views stated are personal views only, not the views of the Commission.

10. Annual Meeting

Dr. Hawkins also said that a policy should be developed with regard to organization date, selection of officers, duties of officers and the filling of vacancies as they occur.

11. Leadership

Dr. Hawkins said that some public bodies use a rotation method for selecting officers, but that most choose. He feels that a strong argument for the choosing method is that a strong person is needed as chair, someone who is able to handle tough sessions and tough situations when the Commission may be divided and / or the public is significantly and emotionally involved.

Dr. Hawkins asked if there were any questions. Commissioner Goldware asked Dr. Hawkins to briefly relate any experiences he'd had with contentious audiences. Dr. Hawkins told of a situation where the room in which the meetings were normally held wasn't large enough to hold the large number of people attending the meeting, so they moved to a larger facility. He again noted the importance of a good sound system. He also said the school board developed a policy to address situations where a meeting was moved from the location noted on the agenda. He said that custodians were placed at the original location to inform people of the change in location. The meeting wouldn't start at the new location until about 10 or 15 minutes after the regular start time to give people a chance to get to the new location. Another example he gave was when they had more people than available seating. People interested in attending would put their name on a list, and when a seat became available the next name on the list was called and that person allowed entrance. He said that it should be noted what was normal and not normal about a meeting.

Mr. Williams asked if it is appropriate to take a recess during a meeting where the audience has become agitated and there is shouting back and forth between members of the audience. Dr. Hawkins said that is a good idea and that it is also good to have a room to which the Commission can recess, specifically the room used for closed sessions. He also said that when a meeting is being held where volatile issues will be discussed, it's a good idea for the chair to state at the beginning of the meeting that if there is too much disruption during the course of the meeting, the Commission will recess for five or ten minutes until the disruption ceases.

Commissioner Hendrick noted that even though these meetings are held in public, they are not public meetings. Dr. Hawkins concurred by saying that doing business in public is different than doing business with the public.

Commissioner Garcia asked if public comments should be held before or after the topics of discussion. Dr. Hawkins said that public comments should be prior to the business portion of the meeting. Commissioner Garcia asked how to handle a situation where a member of the public has a comment on a guest speaker's presentation or another issue that comes up after public comments. Dr. Hawkins said again that public comments should be organized and that if public comments are allowed throughout the course of the meeting, then this will allow openings for other speakers on other issues. If someone has a comment on a topic that is discussed after the public comment portion of the meeting, they can either talk with a commissioner after the meeting or wait until the next meeting to speak.

Commissioner Goldware suggested that it be noted on the public comment portion of the agenda that although the meeting is held in public, it is not a public meeting.

Dr. Hawkins said it's important to protect the right of the public to address the Commission on agenda and non-agenda topics, but the right of the Commission to have an orderly meeting in which they can conduct their business in a reasonable way must also be protected.

Commissioner Hendrick said he has seen time limits ignored when the speaker is well-liked, but that a disliked person or someone speaking on a touchy issue is restricted to the stated time limit. Mr. Williams said he has seen the same thing happen in his previous position in San Diego. He stressed the importance of public speakers being given equal treatment.

Commissioner Goldware said that's a good reason to hold meetings in a controlled environment, such as the Council Chambers.

Mr. Williams asked how to address requests from citizens to put items on the agenda. Dr. Hawkins said that they should be told to write a concise statement of what and why they want the item added to the agenda. Commissioner Goldware said there should be a form asking for the person's name, address, phone number, and that it give a deadline for returning the form so that the Executive Director has time to review the request. Commissioner Hendrick also noted that the request must be reviewed to determine whether or not the Commission has jurisdiction over the issue. Dr. Hawkins asked what type of issues would be addressed besides complaints. Commissioner Goldware replied that the Commission also reviews RPD policies and procedures. Dr. Hawkins stressed that these requests be made in writing, and that complaints about specific officers be reviewed and investigated in the normal manner. Commissioner Hendrick noted that in his experience in dealing with complaints for the school board, that only about 20% of the people actually send in a written complaint. Most people, he said, just want to vent.

The Commission adjourned at 7:40 p.m.

Respectfully submitted,

PHOEBE SHERRON
Administrative Clerk